HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (C) No. 3711 of 2007

PETITIONER : Juber Ahmed Son of Late Atik Ahmed, aged about 44 years, Resident of Main Road Pendraroad, District Bilaspur (C.G.)

VERSUS

RESPONDENTS :
1. Chhattisgarh State Civil Supplies Corporation Limited, Through: The Managing Director, Raipur (C.G.)
2. The District Manager, Chhattisgarh State Civil Supplies Corporation Limited, Bilaspur (C.G.)
3. District Food Controller, office of Collector, (Food Branch), Bilaspur, District Bilaspur (C.G.)
4. Ishwar Chandra Bansal Son of Late Premchand Bansal, Resident of Rest House Road Pendraroad, District Bilaspur (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

Coram : Hon'ble Shri Jagdish Bhalla, Acting Chief Justice & Hon'ble Shri Satish K. Agnihotri J.

Present: Shri Ashok Soni, Advocate for the petitioner.
Shri V.R.Tiwari, Advocate for respondent No. 1 and 2.
Shri U.N.S.Deo, Government Advocate for the State/respondent No.3

ORAL ORDER

(Passed on 25th day of July, 2007)

The following oral order of the Court was passed by **Hon'ble Jagdish Bhalla, Acting C.J.**:

During the course of argument, we found that there is an arbitration clause as contained in the tender form which provides as under:

> "14.1 इस निविदा से संबंधित तथा अनुबंध से संबंधित किसी भी विषय, शर्त एवं किसी भी शर्त की व्याख्या आदि से संबंधित, इस अनुबंध के पूर्व इस अनुबंध एवं निविदा के पालन के समय अथवा उसके पश्चात उत्पन्न हुए किसी भी विवाद को किसी भी पक्ष द्वारा एक मात्र आर्बीट्रेटर को उस विवाद के निराकरण के लिये संदर्भित किया जावेगा। यह आर्बीट्रेटर प्रबंध संचालक, छत्तीसगढ़ स्टेट सिविल सप्लाईज् कार्पोरेशन लिमिटेड, रायपुर अथवा उनके द्वारा मनोनीत व्यक्ति होंगे और उनके द्वारा दिया गया निर्णय/एवार्ड, दोनों पक्षों को बंधनकारी एवं मान्य होगा।"

In view of the aforesaid arbitration clause, the writ petition is dismissed with liberty to the petitioner to approach the learned arbitrator in accordance with law.

Sd/-
Acting Chief Justice

Sd/-
Satish K. Agnihotri
Judge

Amit/Babhu